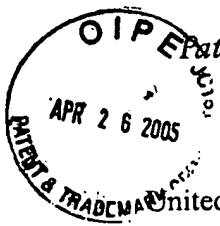


MARKS & CLERK



Patent and Trade Mark Attorneys

incorporating LEWIS & TAYLOR

United States Patent and Trade Mark Office

Commissioning for Patents

PO Box 1450

Alexandria

Virginia 22313-1450

United States of America

Our Ref: AVH/JS/A15186/SLP
21 April 2005

Dear Sirs

**Re: US Patent Application No. 10/628,836
Publication No. US 2004-0097135 A1
In the name of Steven Brooks
US Primary Examiner: J. F. Duverne**

We are writing in relation to the above US patent application, to bring the prior art document EP-A-1217919 B1 (Römer) to the attention of the US Patent and Trade Mark Office. A copy of Römer is enclosed for the convenience of the USPTO along with a copy of a certified translation into English.

We submit that Römer has a bearing on the patentability of the invention claimed in the above US patent application, and as such, should have been brought to the attention of the US Examiner by the applicant. Römer was notified to the European Patent Office on the corresponding European patent application (publication number; EP 1353583) in a letter dated 10 October 2003. The EPO public record shows that this notification was brought to the attention of the applicant in an EPO communication dated 27 October 2003, a copy of which is enclosed. Hence, it is clear that the applicant has been aware of the relevant prior art for over a year.

With reference to independent claim 1 of the US patent application, Römer discloses:

A desk adapted for connection to a second desk as part of a network of desks (Figure 2), each desk comprising:

a desktop (3) comprising a plurality of sides (10, 11, 12), a bottom face and a top face (3);

a chassis positioned substantially beneath the desktop comprising one or more cassettes (2), wherein at least one cassette includes one or more electronic components (20, 21, 25);

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a power distribution system (lines 7 to 10, page 7 of translation), the power distribution being positioned substantially beneath the desk top (lines 30 to 34, page 6), extending approximately from a first side of the desktop to a second side of the desktop, and configured to provide power to at least one adjacent desk or bridge unit (e.g lines 19 to 24, page 8);

and an electronic connection system (30, 31, paragraph 46) providing an electronic connection from the one or more electronic components to an electronic component located in a second desk (Figure 2), the electronic connection system being positioned substantially beneath the desktop and extending approximately from a first side of the desk top to a second side of the desk top (see location of interfaces 30, 31 on Figures 1B and 2).

In view of this, we believe that the invention as claimed in claim 1, at least, lacks novelty. Furthermore, there appears to be no novel and non-obvious features in any of the dependent claims based directly or indirectly on claim 1.

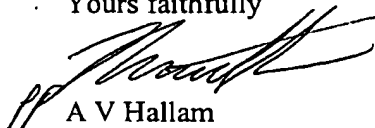
With reference to independent claim 17 of the US patent application, this simply rephrases the subject matter of independent claim 1 in terms of a desking system, comprising two or more connected desks. The only additional feature over claim 1 is the inclusion of:

“...a desk connector configured to connect the desk to a second desk or bridge unit”

This is also disclosed in Römer (coupling elements 40) and hence claim 17 also appears to lack novelty. Furthermore, there appears to be no novel and non-obvious features in any of the dependent claims based directly or indirectly on claim 17.

We respectfully request that the USPTO look into this matter and consider our comments in light of the enclosed document which the applicant clearly should have brought to the attention of the Examiner.

Yours faithfully



A V Hallam

MARKS & CLERK

Email: vhallam@marks-clerk.com



PATENTS ACT 1977

and

PATENTS (AMENDMENT) RULES 1987

I, Wendy Elizabeth LIGHT BA, MA, PgDip. Trans.,
translator to RWS Group plc, of Europa House, Marsham Way, Gerrards Cross,
Buckinghamshire, England, hereby declare that I am conversant with the German and English
languages and that to the best of my knowledge and belief the accompanying document is a
true translation of the text on which the European Patent Office intends to grant or has
granted European Patent

No. 1,217,919

in the name of Comfortable-Computer AG

Signed this 8th day of May 2003

W. E. LIGHT

For and on behalf of RWS Group plc



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Datum/Date

27. 10. 03

Zeichen/Ref./Réf. 1042-0004	Anmeldung Nr./Application No./Demande n°/Patent Nr./Patent No./Brevet n°. 02712019.5-2313/1353583
Anmelder/Applicant/Demandeur/Patentinhaber/Proprietor/Titulaire InterCase UK Limited	

COMMUNICATION PURSUANT TO ARTICLE 115(2) EPC

Please find enclosed observations by a third party concerning the patentability of the invention of the above-mentioned patent application. That person is not a party to the proceedings before the EPO (Art. 115(1) EPC).

Under Article 115(2) EPC you may comment on the observations.

Formalities Officer
Tel. No.

Ewald Lang
-86 07

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Our Ref: AVH/A14729/KAS
10 October 2003

Dear Sirs,

**Re: European Patent Application No. 02712019.5
InterCase UK Ltd**

We refer to the above European patent application and enclose a copy of EP-A-1217919 A.

We note that amended claims were filed on 11 August 2003.

We consider that the subject matter of at least claim 1 is disclosed in the above identified European patent publication. EP A 1 353 183 describes a desk (1) adapted for connection to another desk as part of a network of desks (40 and Figure 2), each desk comprising:

A desk top (3) comprising sides (10, 11, 12), a button-face, and a top side with work surface (3);

A chassis comprising one or more cassettes (2) containing one or more electronics systems (20, 21, 25);

A power distribution system (50, Figure 2) to enable power to be passed from at least one desk to another desk and connectable to provide power to at least one cassette in each desk;

An electronics connection system (30, 31) to enable connection of electronics located in at least one cassette and at least one desk with electronics located in at least one other desk;

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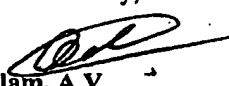
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-2-

Both the power distribution system and the electronics connections system in substantially located beneath the desk top and within or adjacent the chassis and extending from one side of the desk top to another (page 6, lines 30 to 34).

It is submitted that none of the dependent claims introduces any features which are novel and/or inventive.

Yours faithfully,



Hallam, A V
Marks & Clerk